

1978

c 32 The Municipal Amendment Act, 1978 (No. 2)

Ontario

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CHAPTER 32

An Act to amend The Municipal Act*Assented to June 20th, 1978*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Paragraph 13a of section 1 of *The Municipal Act*, being chapter 284 of the Revised Statutes of Ontario, 1970, as enacted by the Statutes of Ontario, 1972, chapter 124, section 1, and amended by 1973, chapter 175, section 1, and 1976, chapter 51, section 1, is repealed and the following substituted therefor:

s. 1, par. 13a,
re-enacted

13a. "Minister" means the Treasurer of Ontario and Minister of Economics and Intergovernmental Affairs, except that in sections 361, 443, 450 and 461 "Minister" means the Minister of Housing.

2. Subsection 22 of section 24 of the said Act is repealed and the following substituted therefor:

s. 24 (22).
re-enacted

(22) The first meeting of the Board of Management shall be held at the time and place fixed by the order of the Municipal Board and thereafter the first meeting of the Board after a regular election shall be held not later than the second Tuesday in December, and the day and the hour for holding the meeting shall be fixed by by-law.

Meetings

3. Section 27b of the said Act, as enacted by the Statutes of Ontario, 1973, chapter 83, section 1, is amended by adding thereto the following subsection:

s. 27b,
amended

(4) A by-law for any of the purposes mentioned in subsection 1 of this section or subsection 1 of section 27a or a by-law repealing any such by-law shall, in an election year, be passed not later than thirty days prior to the last day for posting notice of the offices for which persons may be nominated in accordance with *The Municipal Elections Act, 1977*.

Time for
passing
by-law
1977, c. 62

s. 28 (4).
re-enacted

- 4.—(1) Subsection 4 of section 28 of the said Act is repealed and the following substituted therefor:

When and
how by-law
to be passed

(4) A by-law for any of the purposes mentioned in subsections 1 and 2 and a by-law repealing any such by-law shall, in an election year, be passed not later than thirty days prior to the last day for posting notice of the offices for which persons may be nominated in accordance with *The Municipal Elections Act, 1977*, and such by-law shall not be passed unless it has received the assent of the municipal electors.

1977, c. 62

s. 28 (6).
re-enacted

- (2) Subsection 6 of the said section 28 is repealed and the following substituted therefor:

Submission
of by-law
on petition
of electors

(6) Subject to subsections 3 and 7, where the petition of at least one-fifth of the municipal electors is presented praying for the passing of a by-law repealing a by-law for the purpose mentioned in clause c of subsection 1, or where a petition of not less than 400 electors is presented praying for the passing of a by-law for the purpose mentioned in subsection 2, or for the repeal of a by-law passed under that subsection, the council shall submit the question of making the proposed change to a vote of the municipal electors at the next ensuing municipal election and if the voting is in favour of the change shall without delay pass a by-law in accordance with the prayer of the petition.

Time for
presentation
of petition

(7) A petition for any of the purposes mentioned in subsection 6 shall, in an election year, be presented not later than thirty days prior to the last day for posting notice of the offices for which persons may be nominated in accordance with *The Municipal Elections Act, 1977*.

s. 30 (5).
re-enacted

- 5.—(1) Subsection 5 of section 30 of the said Act is repealed and the following substituted therefor:

Time for
passing
by-laws;
assent of
electors

(5) A by-law passed under section 29 or under subsection 2 or 3 of this section, and a by-law repealing any such by-law shall, in an election year, be passed not later than thirty days prior to the last day for posting notice of the offices for which persons may be nominated in accordance with *The Municipal Elections Act, 1977*, and such by-law shall not be passed unless it has received the assent of the municipal electors.

s. 30 (7, 8).
re-enacted

- (2) Subsections 7 and 8 of the said section 30 are repealed and the following substituted therefor:

(7) Subject to subsections 4 and 9, where a petition of not less than one-fifth of the municipal electors is presented praying for the passing of a by-law for any of the purposes mentioned in this section or for repealing any such by-law, except a by-law reducing the number of councillors to two for each ward, the council shall submit the question of making the proposed change to a vote of the municipal electors at the next ensuing municipal election and if the voting is in favour of the proposed change shall without delay pass a by-law in accordance with the prayer of the petition.

Submission
of question
on petition
of electors

(8) Subject to subsections 4 and 9, where a by-law has been passed for reducing the number of councillors to two for each ward, the council, upon the petition of not less than 100 resident municipal electors shall submit the question of repealing the by-law to a vote of the electors at the next ensuing municipal election and if the voting is in favour of the repeal shall without delay pass a by-law in accordance with the prayer of the petition.

Submission
of question
of repeal

(9) A petition presented under subsection 7 or 8 shall, in an election year, be presented not later than thirty days prior to the last day for posting notice of the offices for which persons may be nominated in accordance with *The Municipal Elections Act, 1977*.

Time for
presentation
of petition

1977, c. 62

6.—(1) Subsection 3 of section 32 of the said Act is repealed and the following substituted therefor:

s. 32 (3),
re-enacted

(3) A by-law for the purpose mentioned in subsection 2 and a by-law repealing any such by-law shall, in an election year, be passed not later than thirty days prior to the last day for posting notice of the offices for which persons may be nominated in accordance with *The Municipal Elections Act, 1977*, and such by-law shall take effect at and for the purpose of the municipal election next after the passing of it.

Time for
passing
by-law

(2) Subsection 8 of the said section 32 is repealed and the following substituted therefor:

s. 32 (8),
re-enacted

(8) A by-law for the purpose mentioned in subsection 6 and a by-law repealing any such by-law shall, in an election year, be passed not later than thirty days prior to the last day for posting notice of the offices for which persons may be nominated in accordance with *The Municipal Elections Act, 1977*, and such by-law shall not be passed until it has received the assent of the municipal electors.

Time for
passing,
assent of
electors

s. 35.
re-enacted

7. Section 35 of the said Act, as re-enacted by the Statutes of Ontario, 1976, chapter 51, section 2, is repealed and the following substituted therefor:

Qualification
of
candidates

35. Every person is qualified to hold office as a member of a council of a local municipality,

1977, c. 62

(a) who is entitled to be an elector under section 12 or 13 of *The Municipal Elections Act, 1977* for the election of members of the council; and

(b) who is not disqualified by this or any other Act from holding such office.

s. 44.
amended

8. Section 44 of the said Act, as re-enacted by the Statutes of Ontario, 1972, chapter 121, section 11, is amended by adding thereto the following subsection:

Method of
conducting
lot

(6) For the purposes of subsection 5, "lot" means the method of determining the candidate to be excluded or the candidate to fill the vacancy, as the case may be, by placing the names of the candidates on equal size pieces of paper placed in a box and one name being drawn by a person chosen by the clerk.

s. 184 (1).
re-enacted

9. -(1) Subsection 1 of section 184 of the said Act, as amended by the Statutes of Ontario, 1972, chapter 169, section 4, is repealed and the following substituted therefor:

First
meeting of
council,
local
municipality

(1) The first meeting of the council of a local municipality after a regular election shall be held not later than the second Tuesday in December, and the meeting shall be held at 11 o'clock in the forenoon or at such hour as may be fixed by by-law.

s. 184 (2).
re-enacted

- (2) Subsection 2 of the said section 184 is repealed and the following substituted therefor:

county

(2) The first meeting of the council of a county after a regular election shall be held after the councils of the municipalities that form part of the county for municipal purposes have held their first meetings under subsection 1 but in any event not later than the third Tuesday in December, and the meeting shall be held at 2 o'clock in the afternoon or at such hour as may be fixed by by-law.

s. 186 (1).
re-enacted

10. Subsection 1 of section 186 of the said Act is repealed and the following substituted therefor:

(1) The council of a county shall, in each year of its term at its first meeting at which a majority of all the members is present, elect one of the members to be warden.

Warden,
election

11. Section 198 of the said Act, as re-enacted by the Statutes of Ontario, 1977, chapter 48, section 3, is repealed and the following substituted therefor:

s. 198,
re-enacted

198. No member of a council shall vote on any by-law appointing him to any office in the gift of the council or fixing or providing his remuneration for any service to the corporation, but this does not apply to a by-law for paying remuneration passed under section 388 or 389a.

Prohibition
as to
member
voting to
appoint
himself to
office, etc.

12. Sections 205 and 211 of the said Act are repealed.

ss. 205, 211,
repealed

13. Section 217 of the said Act is repealed.

s. 217,
repealed

14. The said Act is amended by adding thereto the following section:

s. 242b,
enacted

242b.—(1) Where the council of a municipality is required by law to hear interested parties or to afford them an opportunity to be heard before doing any act, passing a by-law, or making a decision, the council may provide by by-law for a committee of the council to hear such parties or afford them an opportunity to be heard in the place and stead of the council, and, where a hearing is conducted or an opportunity to be heard is afforded by a committee under such a by-law in respect of any matter, the council may do the act, pass the by-law, or make the decision in respect of which the hearing was held or the opportunity for a hearing afforded without being required to hold a hearing or afford an opportunity for a hearing in respect of such matter.

Hearings
by
committee
authorized

(2) Upon the conclusion of a hearing conducted by a committee under a by-law passed pursuant to subsection 1, the committee shall as soon as practicable make a written report to the council summarizing the evidence and arguments presented by the parties, the findings of fact made by the committee and the recommendations, if any, of the committee with reasons therefor on the merits of the application in respect of which the hearing has been conducted.

Report by
committee

(3) After considering the report of the committee, the council may thereupon in respect of such application do any act, pass any by-law or make any decision that it might have done, passed or made had it conducted the hearing itself.

Authority of
council

Application
of
1971, c. 47

(4) Where a committee conducts a hearing in respect of any matter pursuant to a by-law passed under this section, the provisions of sections 5 to 15 and 21 to 24 of *The Statutory Powers Procedure Act, 1971* shall be deemed to apply to the committee and to the hearing conducted by it and those sections, except for section 24, do not apply to the council in the exercise of its power of decision in respect of such matter.

s. 336,
amended

15. Section 336 of the said Act is amended by adding thereto the following subsection:

Use of lands
owned by
corporation

(6) The council of every corporation may pass by-laws providing for the use by the public of lands of which the corporation is the owner and for the regulation of such use and the protection of such lands.

s. 352,
par. 60,
amended

16.—(1) Paragraph 60 of section 352 of the said Act is amended by inserting after "thereof" in the fourth line "or of any works under, over, along, across or upon such highway or portion thereof".

s. 352,
amended

(2) The said section 352 is amended by adding thereto the following paragraphs:

Liability
insurance;
payment of
damages, etc.

67a. For contracting for insurance to protect the employees of the municipality or any local board thereof, or any class of such employees, against risks that may involve liability on the part of such employees or class thereof and for paying premiums therefor or for paying any damages or costs awarded against any such employees or class thereof or expenses incurred by them as a result of any action or other proceeding arising out of acts or omissions done or made by them in their capacity as employees including while acting in the performance of any statutory duty imposed by any general or special Act or for paying any sum required in connection with the settlement of such an action or other proceeding and for assuming the cost of defending any such person in such an action or other proceeding.

Interpre-
tation

(a) In this paragraph,

(i) "employee" means any salaried officer, clerk, workman, servant or other person in the employ of the municipality or of a local board and includes a member of the police force of the municipality and any person or class of person designated as an employee by the Minister;

(ii) "local board" means a local board as defined in *The Municipal Affairs Act*.

- (b) A local board has the same powers to provide insurance for or to make payments to or on behalf of its employees as are conferred upon the council of a municipality under this paragraph in respect of its employees. Local boards

71a. For establishing, laying out and maintaining bicycle paths and for regulating the use thereof and for acquiring land for such purposes and for entering into agreements with other municipalities, including a regional, district or metropolitan municipality, or with the Crown in right of Ontario or the Crown in right of Canada, or with any person or any other body for the use of land for such purposes. Bicycle paths

- (a) The power to acquire land under this paragraph does not include the power to enter on and appropriate land.

- (3) Clause *b* of paragraph 74 of the said section 352 is repealed and the following substituted therefor: s. 352, par. 74 (b), re-enacted

- (b) The council may authorize the erection of any such monument in any highway over which the corporation has jurisdiction.

- 17.—(1) Paragraph 45a of subsection 1 of section 354 of the said Act, as enacted by the Statutes of Ontario, 1974, chapter 136, section 15, is repealed and the following substituted therefor: s. 354 (1), par. 45a, re-enacted

45a. Notwithstanding paragraph 112, for designating private roadways as fire routes along which no parking of vehicles shall be permitted and providing for the removal and impounding of any vehicle or vehicles parked or left along any fire route so designated at the expense of the owner thereof. Designating fire routes and prohibiting parking thereon

- (a) For the purposes of this paragraph, "private roadway" means any private road, lane, ramp or other means of vehicular access to or egress from a building or structure and it may include part of a parking lot.

- (b) Clause *a* of paragraph 107 applies to penalties provided by a by-law passed under this paragraph.

- (c) Subsection 13 of section 116 of *The Highway Traffic Act* applies to a by-law passed under this paragraph. R.S.O. 1970, c. 202

(d) The driver of a motor vehicle, not being the owner, is liable to any penalty provided in a by-law passed under this paragraph and the owner of the motor vehicle is also liable to such a penalty unless at the time the offence was committed the motor vehicle was in the possession of a person other than the owner or his chauffeur without the owner's consent.

s. 354(1),
par. 95,
re-enacted

(2) Paragraph 95 of subsection 1 of the said section 354 is repealed and the following substituted therefor:

Projections

95. For permitting window air-conditioners, cornices, eaves, awning containers, awning covers, sills, brackets and other similar projections beyond the main walls of buildings to encroach upon a highway at such height above the grade thereof as established by council as the council may provide in the by-law.

s. 354(1),
par. 123,
re-enacted

(3) Paragraph 123 of subsection 1 of the said section 354 is repealed and the following substituted therefor:

Pits and
quarries

123. For regulating the operation of pits and quarries within the municipality and for requiring the owners of pits and quarries that are located within such distance of a road as is specified in the by-law and that have not been in operation for a period of twelve consecutive months to level and grade the floor and sides thereof and such area beyond their edge or rim as is specified in the by-law so that they will not be dangerous or unsightly to the public.

s. 361,
amended

18. Section 361 of the said Act, as amended by the Statutes of Ontario, 1976, chapter 69, section 11, is further amended by adding thereto the following subsections:

Designa-
tion of
enlarged
improvement
area

(17a) The council of a local municipality may pass by-laws for designating as an improvement area an area that includes all of an existing improvement area designated under subsection 1.

Application of
subss. 2-5

(17b) Subsections 2, 3, 4 and 5 apply with necessary modifications to the passing of a by-law under subsection 17a.

When by-law
comes into
effect

(17c) Subject to subsection 18, a by-law passed under subsection 17a comes into effect on the 1st day of January next after its passing.

Board of
Management
continued

(17d) Where a by-law passed under subsection 17a comes into effect, the existing improvement area mentioned in that subsection is dissolved, but the Board of Management estab-

lished for that improvement area is continued and shall be the Board of Management for the new improvement area designated under the by-law.

(17e) The provisions of this section that apply to a Board of Management under subsection 1 or to a council or municipal auditor in respect of such a Board apply with necessary modifications to a Board of Management continued under subsection 17d and to the council of a local municipality in respect of such a Board over which it has jurisdiction and to the auditor of the municipality in respect of such Board.

Application

(20) The Minister and a local municipality may enter into agreements for the provision of loans or grants to the municipality on such terms or conditions as are agreed upon for the purpose of the improvement, beautification and maintenance of municipally owned lands, buildings and structures in the municipality or in any defined area thereof and for the purposes mentioned in paragraph 72 of section 352.

Minister of Housing may enter into agreements

19. Paragraph 7 of section 373 of the said Act is repealed.
- s. 373, par. 7, repealed
20. Section 374 of the said Act is repealed.
- s. 374, repealed
21. Section 388 of the said Act, as re-enacted by the Statutes of Ontario, 1977, chapter 48, section 7, is repealed and the following substituted therefor:
- s. 388, re-enacted

388.—(1) Notwithstanding the provisions of any general or special Act, the council of a municipality may pass by-laws for paying remuneration to the members of council, and such remuneration may be determined in any manner that council considers advisable.

Remuneration of councillors

(2) The remuneration to be paid may be determined in different manners and be of different amounts for different members of council.

Idem

22. Section 389 of the said Act is repealed and the following substituted therefor:
- s. 389, re-enacted

389.—(1) Notwithstanding the provisions of any general or special Act, the council of a municipality may provide by by-law for paying in whole or in part such expenses of the members of council and of the officers and servants of the municipality as are actually incurred as a result of their acting either within or outside the municipality in their capacity

Expenses

as members of council or officers of the municipal corporation or as officers or servants of the municipality and as are authorized by the by-law.

Maximum
amounts

(2) A by-law passed under subsection 1 may set maximum amounts or rates that may be paid in respect of any expense for which payment is authorized by the by-law.

Remunera-
tion of
council
members
as local board
members

R.S.O. 1970,
c. 118

389a.—(1) Notwithstanding the provisions of any general or special Act, the council of a municipality may pass by-laws for paying remuneration to a member of council or other person who has been appointed by the council to serve as a member of a local board, as defined in *The Municipal Affairs Act*, or of any other body, in respect of his services as a member of that board, or other body, and to a member of council who serves pursuant to this or any other general or special Act, as an *ex officio* member of such a local board or other body, and such remuneration may be determined in any manner that council deems advisable.

Interpre-
tation

(2) For the purposes of subsection 1 and sections 389b, 389d and 389e "other body" does not include a county, or a regional, district or metropolitan municipality or the County of Oxford.

Application of
s. 388(2)

(3) Subsection 2 of section 388 applies with necessary modifications to a by-law passed under subsection 1 for paying remuneration to persons mentioned in that subsection.

Interpre-
tation

(4) In subsection 1, "local board" or "other body" does not include a public utilities commission or a hydro-electric commission.

Expenses of
council
members as
local board
members

389b. Notwithstanding the provisions of any general or special Act, the council of a municipality may provide by by-law for paying such expenses of persons mentioned in subsection 1 of section 389a as are actually incurred as a result of their acting in their capacity as members of the local board or other body and as are authorized by the by-law and subsection 2 of section 389 applies with necessary modifications to a by-law passed under this section.

Remunera-
tion or
expenses not
to be paid by
local board

389c. Notwithstanding the provisions of any general or special Act, no remuneration or expenses shall be paid by a local board to a person mentioned in subsection 1 of section 389a or subsection 1 of section 389e in respect of his membership on the local board.

389*d*.—(1) The treasurer of every municipality shall on or before the 28th day of February in each year submit to the council of the municipality an itemized statement of the remuneration and expenses paid to each member of council in respect of his services as a member of council or an officer of the municipal corporation in the preceding year and to each person mentioned in subsection 1 of section 389*a* in respect of his services as a member of the local board or other body in the preceding year.

Statement
by
treasurer

(2) A statement submitted under subsection 1 shall also indicate the by-law and the statutory provision under the authority of which the remuneration or expenses were paid.

Idem

389*e*.—(1) Where two or more municipalities are to be considered as one municipality for the purpose of appointing one or more persons as a member of a local board or other body, those municipalities may by agreement provide for determining and paying the remuneration and expenses of such persons and for apportioning the costs of the payment among each of them.

Agreement re
expenses

(2) Sections 389*a* and 389*b* apply with necessary modifications to the powers conferred on the two or more municipalities mentioned in subsection 1, and section 389*d* applies with necessary modifications to the treasurer of each of such two or more municipalities.

Application
of
ss. 389*a*, 389*b*,
389*d*

23. Section 390 of the said Act is repealed and the following substituted therefor:

s. 390.
re-enacted

390.—(1) The council of a municipality may pass by-laws for providing by contract with an insurer licensed under *The Insurance Act*,

Accident, etc.,
insurance re
members of
council and
local boards
R.S.O. 1970,
c. 224

(a) group accident insurance to indemnify any member of council or of a local board of the municipality, or his estate, against loss in case he is accidentally killed or injured; and

(b) group public liability and property damage insurance to indemnify any member of council or of a local board of the municipality, or his estate, in respect of loss or damage for which he has become liable by reason of injury to persons or property or in respect of loss or damage suffered by him by reason of injury to his own property,

while travelling on the business of the corporation or the local board or in the performance of his duties as a member

of council or of the local board either within or outside the municipality.

Item

(2) Where a local board is composed of members appointed by the councils of two or more municipalities, each council shall have in respect of the members appointed by it all the powers for providing insurance for a member of a local board that are conferred on a council by subsection 1.

s. 391,
re-enacted

24. Section 391 of the said Act is repealed and the following substituted therefor:

Remuneration and expenses for certain local board members
R.S.O. 1970, c. 118

391. Notwithstanding any other general or special Act, a local board, as defined in *The Municipal Affairs Act*, of a municipality, may provide for the payment of such salary, expenses or allowances for the members thereof that do not come within the class of persons mentioned in subsection 1 of section 389a, as may be established by the council of the municipality or, where more than one municipality is concerned, by the council designated by the Ministry.

s. 394,
re-enacted

25. Section 394 of the said Act, as re-enacted by the Statutes of Ontario, 1973, chapter 83, section 8, is repealed and the following substituted therefor:

Expenses for entertaining guests

394. Notwithstanding the provisions of any general or special Act, the council of any municipality may expend in any year such sum as it may determine for the reception or entertainment of persons of distinction or the celebration of events or matters of national or international interest or importance.

s. 413(1),
re-enacted

26. Subsection 1 of section 413 of the said Act is repealed and the following substituted therefor:

Assuming highway in adjacent municipality as a public avenue or walk

(1) The council of a local municipality may pass by-laws for assuming for the purpose of a public avenue or walk any highway in an adjacent local municipality and for acquiring so much land on either side of such highway as may be required to increase its width.

s. 457(4)(c),
re-enacted

27. Clause *c* of subsection 4 of section 457 of the said Act is repealed and the following substituted therefor:

(c) authorizing and regulating the planting, with the consent of the owner, of shade or ornamental trees adjacent to any highway at the expense of the municipality, and any tree planted under the authority of any such by-law is the property of the owner

of the land in which it is planted, and the municipality is not liable for maintenance or otherwise in respect of any tree so planted.

- 28.—(1) Paragraph 9 of section 460 of the said Act, as enacted by the Statutes of Ontario, 1973, chapter 175, section 7, is amended by inserting after "specified" in the sixth line "provided such regulation is not in conflict with *The Highway Traffic Act* and the regulations thereunder".

s. 460,
par. 9,
amended
R.S.O. 1970,
c. 202

- (2) The said section 460 is amended by adding thereto the following paragraphs:

s. 460,
amended

10. For designating any lane on any road over which the municipality has jurisdiction as a lane solely or principally for use by bicycles and for prohibiting and regulating the use thereof by vehicles other than bicycles to such extent and for such period or periods as may be specified, provided such regulation is not in conflict with *The Highway Traffic Act* and the regulations thereunder.

Establish-
ment of
bicycle lanes

11. Before passing a by-law under paragraph 9 or 10 for designating a lane on a road as a lane solely or principally for the use of public transit motor vehicles or bicycles, notice of the proposed by-law shall be published at least once a week for four successive weeks in a newspaper having general circulation in the municipality and the notice shall indicate the date and time of the meeting at which the council will consider the passing of the proposed by-law.

Notice of
proposed
by-law

- (a) This paragraph does not apply so as to affect the validity of a by-law heretofore passed under paragraph 9.

29. The said Act is further amended by adding thereto the following section:

s. 470c,
enacted

470c. This Part applies with necessary modifications to by-laws passed by the council of a municipality or by a board of commissioners of police under any other general or special Act except as otherwise provided in such Act.

Application of
Part XXI

30. Subsection 2 of section 472 of the said Act, as re-enacted by the Statutes of Ontario, 1972, chapter 121, section 16, is repealed and the following substituted therefor:

s. 472 (2),
re-enacted

(2) The first meeting of the trustees after the election shall be held at noon on a day not later than the second Tuesday in December.

First meeting
of trustees

s. 474.
re-enacted

31. Section 474 of the said Act is repealed and the following substituted therefor:

Remunera-
tion

474.—(1) Any trustee may be paid such remuneration or expenses as is provided by the trustees who shall have all the powers of a council of a municipality under sections 388 and 389.

Application of
s. 389d

(2) Section 389d applies with necessary modifications to the trustees of a police village.

s. 487 (1),
amended

32.—(1) Subsection 1 of section 487 of the said Act, as amended by the Statutes of Ontario, 1975, chapter 56, section 13, is further amended by striking out “and” at the end of clause *k* and by adding thereto the following clauses:

(*m*) fire or fire prevention, by paragraphs 29, 34, 35, 37, 39, 40 and 44 of subsection 1 of section 354;

(*n*) gunpowder by paragraph 9 of subsection 1 of section 354; and

(*o*) rubbish, refuse or debris, by paragraph 70 of subsection 1 of section 354, and paragraph 5 of section 460.

s. 487 (4),
repealed

(2) Subsection 4 of the said section 487 is repealed.

ss. 489-492,
repealed

33. Sections 489, 490, 491 and 492 of the said Act are repealed.

s. 493,
re-enacted

34. Section 493 of the said Act is repealed and the following substituted therefor:

Application of
s. 466

493. Section 466 applies with necessary modifications to by-laws passed under subsection 1 of section 487 by the trustees of a police village.

s. 495 (1),
re-enacted

35. Subsection 1 of section 495 of the said Act is repealed and the following substituted therefor:

Appointment
of
chairman
and
secretary

(1) At its first meeting in each year of its term, the board shall appoint one of its members to be the chairman and shall also appoint a secretary.

Commence-
ment

36. This Act comes into force on the day it receives Royal Assent.

Short title

37. The short title of this Act is *The Municipal Amendment Act, 1978 (No. 2)*.